

BEFORE THE TENNESSEE REGULATORY AUTHORITY  
AT NASHVILLE, TENNESSEE

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T.R.A. DOCKET ROOM

In Re:

CARTWRIGHT CREEK, LLC'S PETITION  
TO INTERVENE IN TENNESSEE  
WASTEWATER SYSTEMS, INC.'S  
PETITION TO AMEND CERTIFICATE OF  
CONVENIENCE AND NECESSITY.

No. 04-00289

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PETITION TO INTERVENE IN TENNESSEE WASTEWATER SYSTEMS, INC.'S  
PETITION TO AMEND CERTIFICATE OF CONVENIENCE AND NECESSITY

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Comes now Cartwright Creek LLC ("Cartwright Creek") and submits this Petition to the Tennessee Regulatory Authority ("TRA") to intervene as a matter of right in Tennessee Wastewater Systems, Inc.'s ("TWS") Petition to Amend Certificate of Convenience and Necessity, Docket No. 04-00289 pursuant to Tenn. Code Ann. § 4-5-310 and § 65-2-107 and Section 1220-1-2.08 of the Rules of Tennessee Regulatory Authority Division of Practice and Procedure.

**Petitioner**

Cartwright Creek is a Tennessee member-managed limited liability company, licensed to do business Tennessee. Cartwright Creek adopts and incorporates herein by reference its transfer of authority petition bearing Docket No. 04-00307, together with Exhibit A-C attached thereto, as an concise and non-duplicative means by which to provide all necessary information and documentation concerning the business entity, its owners, the management of the entity, and Cartwright Creek's ability provide superior wastewater

utility services to current Cartwright Creek customers and the desired future customers of the Planned Growth Area 5 ("PGA 5") in Williamson County, Tennessee.

### **Designated Contact**

The designated contact for questions regarding this Petition is T. Chad White, Esq., Tune, Entrekin & White, P.C., AmSouth Center, Suite 1700, 315 Deaderick Street, Nashville, TN 37238-2100; 615/244-2770 (Office), 615/244-2778 (Facsimile).

### **Intervention**

As grounds for this Petition, Cartwright Creek states as follows:

In January 2004, Cartwright Creek originally sought to amend its CCN to include PGA 5 (TRA Docket No. 04-00009). Cartwright Creek withdrew this petition concerning PGA 5 to accomplish the desired transfer of authority to own and operate Cartwright Creek as more fully stated in that petition (TRA Docket No. 04-00307).

Since its original filing in January 2004, Cartwright Creek desire to provide wastewater service to PGA 5 has never wavered, and as soon a practicable after the completion of the conditional (TRA approval) purchase and sale of Cartwright Creek, the Petition to Amend Cartwright Creek's Certificate of Convenience of Necessity regarding PGA 5 was filed (TRA Docket No. 04-00358).

On September 13, 2004, TWS filed a petition seeking to amend its CCN to include the majority of PGA 5. The petition by TWS directly effects Cartwright Creek's legal rights, privileges, and other legal interests qualifying Cartwright Creek as an intervenor.

As further grounds evidencing the legal rights, privileges, and other legal interests of Cartwright Creek that are directly effected by TWA's Petition to service PGA 5,

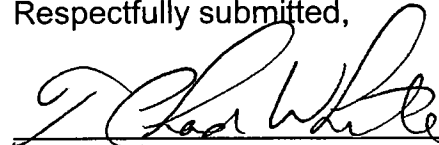
Cartwright Creek adopts and incorporates herein by reference its Petition to Amend its CCN regarding PGA 5, bearing TRA Docket No. 04-00358.

### **Conclusion**

Based upon the foregoing, Cartwright Creek prays that the TRA grant its petition to intervene in the TWS Petition in light of the direct effect said Petition has on the legal rights, privileges, and other legal interests of Cartwright Creek .

This the 5<sup>th</sup> day of November, 2004.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "T. Chad White", is written over a horizontal line.

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